

AN ORDINANCE TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE BY PROHIBITING SMOKING WITHIN ALL BUILDINGS OR STRUCTURES OWNED BY THE CITY OF FAIRHOPE, ALABAMA:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

Section 1. The word smoking as used in this Ordinance shall mean the lighting or burning of tobacco or any other substance in any pipe, cigar, cigarette or other manner or the exhalation of smoke from such burning or lighted substance.

Section 2. From and after the adoption of this Ordinance, it shall be unlawful for any person to smoke within the confines of any building or structure owned by the City of Fairhope, Alabama, except as otherwise provided herein.

Section 3. In those areas of the Fairhope Civic Center rented for private functions, smoking may be permitted upon the written application of the person in responsible charge of the function. In the event of such application, smoking shall be allowed only within the confines of the room or space rented for the function and shall not be allowed in the common areas elsewhere in the building. A sign shall be posted at the entrance reading "Smoking Is Permitted At The Request Of The Sponsor And/Or Host Of This Event".


Application may be denied where smoking is deemed to constitute a fire hazard.

Section 4. Any person violating this Ordinance shall, upon a first offense conviction, be subject to a fine of not less than Fifty nor more than One Hundred Dollars. Upon a second or subsequent conviction, violators shall be punished as provided in Section 1-8 of the Fairhope Code of Ordinances, at the discretion of the municipal court.

Section 5. This Ordinance shall be incorporated in the Fairhope Code of Ordinances as Section 12-15.

Section 6. This Ordinance shall take effect upon its due adoption and publication as required by law.

ADOPTED THIS THE 27th DAY OF DECEMBER 1993.


James P. Nix, Mayor

Attest:


Evelyn P. Phillips, Clerk